

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 37 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BABULAL JIVRAJ

Versus

GUJARAT ELECTRICITY BOARD

Appearance:

MR AJ NANAVATI for Petitioners

MR VJ DESAI for Respondent No. 1

None present for Respondent No. 2, 3, 4, 5

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 06/10/97

ORAL JUDGEMENT

1. The counsel for the parties are in agreement that this special civil application is squarely covered by the decision of this Court given in special civil application No.5657/85 on 3-5-1996 and as modified in L.P.A. No.777/96.

2. The petitioners in the special civil application

have prayed for direction to the respondents namely the concerned Gram Panchayat and Electricity Board to pay them the salary equal to the salary which is paid to the Helpers appointed by the Board or in the alternate to pay them the minimum wages as prescribed under the Minimum Wages Act.

3. In the special civil application No.5657/85, identical claim made by the petitioners therein was allowed and this Court has given the direction to the respondents therein to pay to the petitioners therein minimum wages as prescribed from time to time under the Minimum Wages Act for the work done by the petitioners and they were made entitled for the same from the date of the filing of the petition. The L.P.A. has been filed against that order by the Gujarat Electricity Board and the Division Bench of this Court held that the Panchayat is only liable to make the payment of minimum wages to the respondents therein and not the Gujarat Electricity Board. To that extent the judgment has been modified otherwise the rest of the judgment has been upheld.

4. This special civil application, as contended by the counsel for the parties, stands disposed of in terms of the judgment given in special civil application No.5657/85 and as modified in L.P.A. No.777/86. The special civil application and rule stand disposed of accordingly with no order as to costs.

zgs/-